

IT IS ORDERED as set forth below:

Date: March 28, 2023



Wendy L. Hagenau

**Wendy L. Hagenau
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

WESLEY KENNEDY, JR.,

Debtor,

CASE NO. 19-64620-WLH

CHAPTER 13

WESLEY KENNEDY, JR.,

Plaintiff,

v.

NAJARIAN CAPITAL, LLC
ASPEN, LLC,
RESIDENTIAL INVESTMENT TRUST IV,

Defendants.

ADVERSARY PROCEEDING

NO. 20-6167-WLH

ORDER AFTER TRIAL

THIS MATTER is before the Court after a trial on the complaint on March 28, 2023 as to Plaintiff's claim that Najarian Capital, LLC ("Najarian") violated the automatic stay by interfering with Plaintiff's possessory interest in the Property after Debtor filed bankruptcy. For the reasons stated on the record, which the Court reserves the right to supplement,

IT IS ORDERED that Najarian willfully violated the automatic stay of 11 U.S.C. § 362 when it caused a dispossessory complaint to be served on Plaintiff on January 2, 2020.

Judgment will be entered by separate order in favor of Plaintiff and against Najarian for actual damages of attorney's fees in the total amount of \$13,000.00.

END OF ORDER

Distribution List

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